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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,235	02/12/2001	Eric Edwards	50P3833.01	9352

7590 03/12/2004

Intellectual Property Department
Sony Electronics Inc.
123 Tice Boulevard - MD T1-1
Woodcliff Lake, NJ 07675

EXAMINER

KASSA, YOSEF

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 03/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,235

Applicant(s)

EDWARDS ET AL.

Examiner

YOSEF KASSA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noyama et al (U.S. Patent 5,594,850), and further in view of Olsen, IV (U.S. Patent 6,429,881).

With regard to claim 1, Noyama et al discloses an effects source for applying an effect, i.e., geometrical transform, onto an image (see col. 4, lines 25-30) and which defines a masked portion that prevents i.e., surface normal, the effects source from applying the effect onto the masked portion of the image (see col. 5, lines 14-23).

Noyama et al did not explicitly call for translucent masking tool. However, at the same field of endeavor Olsen, IV discloses this feature (see Fig. 4, items 104 and 108). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Olsen, IV transparency mask process into Noyama et al image masking process. The motivation for doing so is to determine the transparency of the portion of the graphic element to display the graphic elements over a background.

With regard to claim 2, Noyama et al discloses the translucent masking tool has a customizable shape (see Fig. 1 item 23 and Fig. 3, item 22).

With regard to claim 3, Noyama et al discloses the translucent masking tool is movable relative to the image (see Fig. 1 items 32 and 50).

With regard to claim 4, Noyama et al discloses the translucent masking tool simulates a fixed edge (see col. 7, lines 15-27).

With regard to claim 5, Noyama et al discloses the masked portion of the image is denoted by cross-hatching while the masked portion of the image is still viewable by a user (see col. 9, lines 59-67).

With regard to claim 6, Noyama et al discloses masked portion of the image is denoted by shading while the masked portion of the image is still viewable by a user (see col. 5, lines 8-13).

Claim 7 is similarly analyzed as claim 1. The additional limitation of positioning a masking tool over a masked portion of an image and dynamically moving the masking tool (see col. 7, lines 4-14 and Fig. 7a-7d).

Claims 9-13 are similarly analyzed as claims 1-6.

Other Prior Art Cited

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. (6,485,869) to Tsai et al discloses photo mask frame modification to eliminate process...

US Patent No. (6,300,955) to Zamir discloses method and system for mask generation.

US Patent No. (5,920,659) to Iverson et al discloses method and apparatus for scaling image data having associated transparency data.

US Patent No. (5,533,185) to Lentz et al discloses pixel modification unit for use as a functional unit in a super scalar microprocessor.

US Patent No. (5,459,589) to nagasato et al discloses image processing system provided with image enchasing and synthesizing function.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (703) 306-5918. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH MEHTA can be reached on (703) 308-5246. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communication and (703) 872-9306 for after Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (703) 306-5631. The group receptionist number for TC 2600 is (703) 305-4700.

PATENT EXAMINER

Yosef Kassa

03/02/04.


BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800